

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff.**

**v.**

**Franklin Barrett Sechriest,**

**Defendant.**

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CRIMINAL NO. A-21-M-935

**UNOPPOSED MOTION TO EXTEND 18 U.S.C. § 3161(b) DEADLINE**

COMES NOW Defendant Franklin Barrett Sechriest, by and through his undersigned counsel, and hereby respectfully moves the Court to extend the 30-day deadline under 18 U.S.C. § 3161(b) for the filing of an indictment or information until March 15, 2022, and would show the Court as follows:

1. Mr. Sechriest was arrested on November 12, 2021, pursuant to a Criminal Complaint filed in the Western District of Texas charging him, *inter alia*, with Arson, in violation of 18 U.S.C. § 844(i).

2. The Speedy Trial Act requires that an individual be charged by indictment or information within 30 days from date the individual was arrested, absent any excludable time pursuant to 18 U.S.C. § 3161(h) or otherwise. 18 U.S.C. § 3161(b).

3. The current Section 3161(b) deadline to file an indictment or information is December 12, 2021.

4. Defendant respectfully requests that the Court extend the 30-day deadline under 18 U.S.C. § 3161(b) for the filing of an indictment or information to March 15, 2022.

5. Defendant respectfully submits that the delay sought herein would serve the ends of justice, and that the ends of justice outweigh the best interests of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

6. I have fully explained to Defendant his rights under the Speedy Trial Act, 18 U.S.C. § 3161, including his right to be charged by indictment or information within 30 days from the date of his arrest, under 18 U.S.C. § 3161(b). To the best of my knowledge and belief, Defendant voluntarily consents and agrees to such a continuance and to the filing of this motion.

7. Undersigned counsel has consulted with Matthew Devlin, Assistant United States Attorney, who states that the United States does not object to, and would join in, this motion.

WHEREFORE, PREMISES CONSIDERED, Defendant requests that the 30-day deadline under 18 U.S.C. § 3161(b) for the filing of an indictment or information be extended until March 15, 2022.

Respectfully submitted,



Richard Cofer  
Texas Bar No. 24065059  
*Attorney for Franklin Barrett Sechriest*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Matthew Devlin  
Assistant United States Attorney  
United States Attorney's Office  
Western District of Texas  
903 San Jacinto Blvd, Suite 334  
Austin, TX 78701  
Email: matt.devlin@usdoj.gov



Richard Cofer  
Attorney for Mr. Sechriest

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**ORDER**

Before the Court is Defendant's Unopposed Motion to Extend 18 U.S.C. § 3161(b) Deadline. In the motion, Defendant, by and through his attorney, Richard Cofer, requests a continuance of the deadline for the government to obtain an indictment or information in this matter. The Government is unopposed to the motion. The Court finds that, in accordance with 18 U.S.C. § 3161, a continuance of the deadline will allow counsel for Defendant and the United States time to fully explore available options and obtain, exchange, and evaluate information relevant to a mutually acceptable resolution of this matter, and that the ends of justice served by this continuance outweigh the best interests of the public and Defendant in a speedy trial. Accordingly,

**IT IS ORDERED** that Defendant's motion is GRANTED, the time period to charge this matter by indictment or information is continued until March 15, 2022, and the time between December 12, 2021, and March 15, 2022, is excludable under 18 U.S.C. § 3161.

**SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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UNITED STATES MAGISTRATE JUDGE